

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

EUGENE A. MAUWEE, SR.,

Plaintiff,

vs.

NEVADA DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

Case No. 3:12-CV-00088-ECR-(WGC)

AMENDED ORDER

Plaintiff, who is in the custody of the Nevada Department of Corrections, has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 (#4). Based on the financial information provided, the court finds that plaintiff is unable to prepay the full filing fee in this matter. Therefore,

IT IS ORDERED as follows:

1. Plaintiff's application to proceed *in forma pauperis* (#1) is **GRANTED**; however, plaintiff must pay an initial partial filing fee of \$9.76 toward the full filing fee of three hundred fifty dollars (\$350.00). Plaintiff shall have thirty (30) days from the date this order is entered in which to have the designated fee sent to the Clerk of the Court. Failure to do so may result in dismissal of this action. In the event that this action is dismissed, the full filing fee must still be paid pursuant to 28 U.S.C. § 1915(b)(2).
2. The movant herein is permitted to maintain this action to conclusion without the necessity of prepayment of any additional fees or costs or the giving of security

1 therefor. This order granting leave to proceed *in forma pauperis* shall not extend to
2 the issuance of subpoenas at government expense.

- 3 3. The Clerk of the Court shall **SEND** plaintiff two copies of this order. Plaintiff is
4 ordered to make the necessary arrangements to have one copy of this order attached
5 to the check in the amount of the designated fee, by sending a copy of the order with
6 the “brass slip” for the amount of the fee to Inmate Services for the Nevada
7 Department of Corrections.
- 8 4. Pursuant to 28 U.S.C. § 1915(b)(2), the Nevada Department of Corrections shall pay
9 to the Clerk of the United States District Court, District of Nevada, 20% of the
10 preceding month’s deposits to plaintiff’s account (inmate #30400), in the months that
11 the account exceeds \$10.00, until the full \$350.00 filing fee has been paid for this
12 action. The Clerk of the Court shall **SEND** a copy of this order to the Finance
13 Division of the Clerk’s Office. The Clerk shall also **SEND** a copy of this order to the
14 attention of the Chief of Inmate Services for the Nevada Department of Corrections,
15 P.O. Box 7011, Carson City, NV 89702.
- 16 5. The Clerk shall electronically **SERVE** a copy of this order, a copy of the court’s
17 Screening Order (#3) and a copy of plaintiff’s complaint (#4) on the Office of the
18 Attorney General of the State of Nevada, attention Pamela Sharp.
- 19 7. The Attorney General’s Office shall advise the court within **twenty-one (21) days** of
20 the date of the entry of this order whether it can accept service of process for the
21 named defendants. As to any of the named defendants for which the Attorney
22 General’s Office cannot accept service, the Office shall file, *under seal*, the last
23 known address(es) of those defendant(s).
- 24 8. If service cannot be accepted for any of the named defendant(s), plaintiff shall file a
25 motion identifying the unserved defendant(s), requesting issuance of a summons, and
26 specifying a full name and address for said defendant(s).
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9. If the Attorney General accepts service of process for any named defendant(s), such defendant(s) shall file and serve an answer or other response to the complaint within **sixty (60) days** from the date of this order.

IT IS SO ORDERED.

DATED: May 29, 2012.